

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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LORETTA POLISENO-FISCHER

Case No.: 18-43429

Judge: Hon. Elizabeth S. Stong

**DEBTOR'S MOTION FOR  
VOLUNTARY DISMISSAL OF  
CHAPTER 13 CASE**

Debtor.

X

**DEBTOR'S MOTION FOR VOLUNTARY DISMISSAL OF CHAPTER 13 CASE**

COMES NOW, Debtor Loretta Polisenno-Fischer, by and through undersigned counsel and hereby files this Motion.

1. On August 15, 2018, Debtor filed for relief under Chapter 13 in the Eastern District of New York.
2. The case has not been converted. No party has filed a motion for relief from, annulment of, or conditioning of the automatic stay.
3. Debtor had filed the case with the intent of working with the mortgage lender to modify her residential mortgage.
4. Although the parties participated in the process, the modification terms could not be established.
5. In the future, Debtor may be in a position to seek protection under the code to fully satisfy the lender by curing the mortgage arrears in a subsequent Chapter 13 plan.
6. Therefore, Debtor seeks to voluntarily dismiss the case.

WHEREFORE, Debtor requests this Court grant the Motion for Voluntary Dismissal of this case.

Date: Brooklyn, New York  
October 28, 2019

/s/ Naomi Zeltser  
26 Court Street  
Suite 1200  
Brooklyn, NY 11242  
718-831-2529

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**CERTIFICATE OF SERVICE**

I, Naomi Zeltser, certify that on October 28, 2019, service of the Motion for Voluntary Dismissal was made by service in the court's ECF system or by depositing a true copy of same by regular, first class, United States mail, postage pre-paid, in an official depository under the exclusive care of the United States Postal Service within the State of New York to the parties listed on the attached mailing matrix.

Date: Brooklyn, New York  
October 28, 2019

/s/ Naomi Zeltser  
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Suite 1200  
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